

On September 7, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25120. Misbranding of Kelpamalt. U. S. v. 1,332 Packages of Kelpamalt. Consent decree of condemnation. Product released under bond to be relabeled. (F. & D. no. 35792. Sample no. 32077-B.)

This case involved a drug preparation the labeling of which contained unwarranted curative and therapeutic claims.

On July 26, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,332 packages of Kelpamalt at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about July 5 and July 11, 1935, by the Allied Laboratories, from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample showed that the article consisted essentially of plant material, sugar, malt extract, cocoa, salt, and small proportions of saccharin and compounds of calcium, iron, phosphorus, copper, sulphur, magnesium, and iodine.

The article was alleged to be misbranded in that the labeling contained false and fraudulent representations regarding its effectiveness in the treatment of mineral deficiency, constipation, stomach troubles, underweight, gas pains, headache, dizziness, bad breath, lack of appetite, anemia, nervousness, backache, cramps, vomiting, irritability, indigestion, sleeplessness, abnormal flow at menstruation and even menstrual hemorrhages, digestive and intestinal disturbances, constipation, acid stomach, sick stomach and distress after eating, glandular trouble, pains in the side and back, acidity, goitre, gas bloating, shortness of breath, and sick stomach; and its effectiveness, to improve strength, energy, and vitality, help regulate monthly functions and assist in overcoming periodic misery, to remineralize vital female organs and regulate normal, natural easy glandular function, to clear and brighten the eyes, bring color to the cheeks, and increase the weight.

On July 26, 1935, the Allied Laboratories, claimant, having admitted the allegations of the libel and having consented to the entering of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be relabeled under the supervision of this Department.

W. R. GREGG, *Acting Secretary of Agriculture.*

25121. Adulteration and misbranding of Glo-More Shampoo. U. S. v. 69 Bottles and 117 Bottles of Glo-More Shampoo. Default decrees of condemnation and destruction. (F. & D. nos. 35796, 35797. Sample nos. 20499-B, 38013-B.)

These cases involved a product the labeling of which contained unwarranted claims as to its antiseptic and healing properties.

On July 29, 1935, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 186 bottles of Glo-More Shampoo at Portland, Oreg., alleging that the article had been shipped in interstate commerce in various shipments from Seattle, Wash., on or about August 30, August 31, and September 4, 1934, by Gilmore-Burke, Inc., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of soap, a trace of alcohol, water, and an agent which rendered it antiseptic when diluted with one volume of water but which failed to render it antiseptic when diluted with nine volumes of water.

The article was alleged to be adulterated in that its strength fell below the professed standard and quality under which it was sold, namely: (Label) "Glo-More contains a powerful antiseptic which though most efficient is beneficial to the scalp. It retains its bacteria and spore-killing powers when diluted ten thousand times."

Misbranding was alleged for the reason that the above-quoted statements on the label were false and misleading, and for the further reason that the statement on the label regarding its curative and therapeutic effect, namely, "Healing" was false and fraudulent.

On October 1, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*